

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DOLLINGER *et al.*

Appl. No.: 10/591,674

Filed: August 13, 2007

For: **Novel Herbicides Based on
Substituted Thien-3-yl-
Sulphonylamino(thio) Carbonyl-
Triazolin(thio)ones and 4-HPPD-
Inhibitors**

Confirmation No.: 1839

Art Unit: 1616

Examiner: SULLIVAN, Danielle D.

Atty. Docket: 2400.0700000/RWE/CBF

First Supplemental Information Disclosure Statement

Mail Stop Amendment

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the patentability of this application as defined in 37 C.F.R. §1.56, and in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on September 1, 2006, in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication

dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

Copies of documents **FP2-FP3** and **NPL2-NPL10** are submitted. However, copies of U.S. patents and patent application publications cited on the attached Form PTO/SB/08A documents **US2** to **US6** are not submitted in accordance with 37 C.F.R. § 1.98(a)(2).

The Examiner's attention is directed to the following U.S. Patent Applications, which are directed to related technical subject matter:

U.S. Application No. 10/591,673, inventors DOLLINGER *et al.*; filed February 19, 2005; published on January 24, 2008 as U.S. Pub. No. 2008/0020932 A1; listed as document **US6**;

A concise explanation of the relevance of the non-English language documents **FP2** and **FP3** appears below in accordance with 37 C.F.R. § 1.98(a)(3).

Document **FP2**, WO 01/05788 A1, is in the German language. An English language equivalent of document **FP2** is cited as document **US5**.

Document **FP3**, WO 01/15533 A1, is in the German language. An English language equivalent of document **FP3** is cited as document **US4**.

In accordance with the Federal Circuit decision in *Dayco Prods., Inc. v. Total Containment, Inc.* 329 F.3d 1358 (Fed. Cir. 2003), Applicants submit herewith Office Actions from the U.S. Patent Application No. 10/489,086, filed August 12, 2004, and U.S. Patent Application No. 10/591,673, filed June 13, 2007, as documents **NPL2** to **NPL10**.

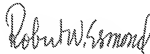
The identification of these Office Actions is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

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